

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS, SAN ANTONIO DIVISION**

Michael Clarke, et al,  Plaintiffs,  v.  Balfour Beatty Communities LLC, et al,  Defendants.	Civil Action No.:  5:21-cv-00550-XR
--	---

**DEFENDANTS’ MOTION TO WITHDRAW THEIR MOTION TO COMPEL IN-  
PERSON DEPOSITIONS OF PLAINTIFFS**

NOW COME Defendants Balfour Beatty Communities, LLC (“BBC”); Lackland Family Housing, LLC d/b/a Lackland Family Homes (“LFH”); Fort Bliss/White Sands Missile Range Housing LP d/b/a Fort Bliss Family Homes (“FBFH”); BBC Military Housing - Bliss/WSMR General Partner LLC (“Bliss GP”); and Balfour Beatty Military Housing Management, LLC (“BBMHM”) (collectively, “Defendants”), in the above-entitled and numbered actions, and files this Motion to Withdraw Defendants’ Motion to Compel the In-Person Depositions of Plaintiffs (Doc. 76), pursuant to the Federal Rules of Civil Procedure.

On December 2, 2022, Defendants filed their Motion to Compel the In-Person Depositions of Plaintiffs in the above-mentioned lawsuit.

On December 8, 2022, counsel for Plaintiffs agreed to produce Plaintiffs for in-person depositions at a location near their current residences. In exchange for Plaintiffs’ agreement, Defendants will withdraw their Motion to Compel.

**CONCLUSION**

For the reasons set forth above, Defendants respectfully request that the Court grant their Motion to Withdraw Defendants' Motion to Compel In-Persons Depositions of Plaintiffs (Doc. 76) and remove said Motion from the Court's Docket.

Date: December 14, 2022

By:  \_\_\_\_\_

Alejandro Caraveo, Jr.  
TX State Bar No. 24101086  
LEWIS BRISBOIS BISGAARD & SMITH LLP  
2100 Ross Avenue, Suite 200  
Dallas, TX 75201  
Telephone: 214.722.7133  
Facsimile: 214.722.7111

Tina A. Syring-Petrocchi (*pro hac vice*)  
Richard G. Morgan (*pro hac vice*)  
Carli D. Pearson (*pro hac vice*)  
Matthew A. Beyer (*pro hac vice*)  
LEWIS BRISBOIS BISGAARD & SMITH LLP  
Wells Fargo Center  
90 South 7<sup>th</sup> Street, Suite 2800  
Minneapolis, Minnesota 55402  
Telephone: 612.428.5000  
Facsimile: 612.428.5001

Jose Trevino, Jr.  
VALDEZ & TREVINO, P.C.  
Callaghan Tower  
8023 Vantage Drive, Suite 700  
San Antonio, Texas 78230  
Telephone: 210.598.8686  
Facsimile: 210.598.8797

*Attorneys for Defendants*

**CERTIFICATE OF SERVICE**

I hereby certify that on December 14, 2022, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to opposing counsel of record.

A handwritten signature in black ink, appearing to read 'Alejandro Caraveo', is written over a horizontal line.

Alejandro Caraveo